Docket No. 25220.411A-US

Declaration For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original first and sole inventor (if only one name is listed below) or an original

wnich a patent is soug	ght on the invention	re listed below) of the subject matter wind entitled	morris claimed and for
the specification of wh	nich		
(check one)			
☐ is attached hereto ☑ was filed on Apri Application Number	il 9, 1999 er <u>09/288,622</u>	as United States Application No.	or PCT International
and was amended	on	(if applicable)	
•		understand the contents of the above in amendment referred to above.	identified specification,
•	•	ne United States Patent and Trademart ability as defined in Title 37, Code of	
known to me to be a Section 1.56. I hereby claim foreig Section 365(b) of any any PCT International listed below and have	material to patenta in priority benefits y foreign application I application which e also identified belor PCT Internationa		Federal Regulations, Section 119(a)-(d) or e, or Section 365(a) of than the United States, pplication for patent or
known to me to be a Section 1.56. I hereby claim foreig Section 365(b) of any any PCT International listed below and have inventor's certificate of	material to patenta in priority benefits y foreign application I application which e also identified below or PCT Internationa aimed.	under Title 35, United States Code, on(s) for patent or inventor's certificate designated at least one country other tow, by checking the box, any foreign a	Federal Regulations, Section 119(a)-(d) or e, or Section 365(a) of than the United States, pplication for patent or
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Patent and Trademark Office-U.S. DEPARTMENT

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/121,425	February 23, 1999	
(Application Serial No.)	(Filing Date)	
60/121,429	February 23, 1999	
(Application Serial No.)	(Filing Date)	
(Application Serial No.)	(Filing Date)	

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Kenton T. Davis	
Sole or first inventor's signature	Date
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Full name of second inventor, if any	
William H. Dudley	
Second inventor's signature	Date
Mart Marchias	06/18/199 M
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Citizenship	
American.	
Post Office Address	
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Full name of third inventor, if any	
Derek Gallagher	
Derek Gallagher Third inventor's signature	Date 7. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
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Derek Gallagher Third inventor's signature Residence 2416 k. ST NW #200, WASHINGTON DX Citizenship Fost Office Address Same Full name of fourth inventor, if any Ken Gee Fourth inventor's signature Residence 1807 Breton Court #10 Reston VA 20191	Date 6/5/9
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Fifth inventor's signature		Date
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Citizenship		
Post Office Address		
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Full name of sixth inventor, if any		
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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN

Docket No. 25220.411A-US

STATUS (37 CFR I	.9(1) AND 1.27 (c)) - SMIAL	L BUSINESS CONCERN	25220.411A-US			
Serial No. 09/288,622	Filing Date April 9, 1999	Patent No.	Issue Date			
Applicant/ Kenton T. Davis Patentee: Assignee: Pathno						
Invention: Element Manag	ement System for Heterogeneous	Telecommunications Network				
🛛 an official of the s	small business concern identified mall business concern empower		ern identified below:			
NAME OF CONCERN: Pa ADDRESS OF CONCERN:	thnet, Inc. 1015 31st Street, Washington, I	DC 20007				
13 CFR 121.3-18, and reprofite 35, United States Contexceed 500 persons. For average over the previous basis during each of the profite directly or indirectly, one context.	I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control both.					
	under contract or law have been to the above identified invention		the small business concern			
☐ the specification	on filed herewith with title as liste	ed above.				
★ the application ■ The image is a second containing the im	identified above.					
☐ the patent ider	ntified above.					
organization having rights person, other than the inv	above-identified small business to the invention is listed on the entor, who could not qualify as ualify as a small business conc	next page and no rights to the an independent inventor under	e invention are held by any er 37 CFR 1.9(c) or by any			

	obligation undo	er contract of the contract of	or law to as	ion to which I hesign, grant, con r organization ex or organization		onveyed, or li the invention	censed or am under an is listed below:
	FULL NAME ADDRESS		Individual		Small Business Concern		Nonprofit Organization
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	FULL NAME ADDRESS		maividuai		Small business Concern		Nonprofit Organization
4 1 1 1	FULL NAME		Individual		Small Business Concern		Nonprofit Organization
	ADDRESS		Individual		Small Business Concern		Nonprofit Organization
Ja. 4, 11 10 15, 17 11 11 11 11 11 11 11 11 11 11 11 11	I acknowledge entitlement to maintenance for the information ar willful false state.	e the duty of small enting to small enting the due after that all and belief are atements a United Star	to file, in the fity status per the date of statements believed to the like tes Code, a	small entities. (3 his application of prior to paying, on which status s made herein of to be true; and so made are put and that such wi	or patent, notification of an or at the time of paying as a small entity is no longer further that these statement unishable by fine or imprison liful false statements may just verified statement is directly.	true and that true and that true made onment, or bot eopardize the	status resulting in loss of of the issue fee or any (37 CFR 1.28(b)) at all statements made on with the knowledge that th, under Section 1001 of
	NAME OF PER TITLE OF PER OTHER THAN ADDRESS OF	SON SIGNI OWNER:	NG	Michael I Vice Pres	Lubin sident, General C	counsel	
	SIGNATURE:	<u>Úli</u>	chael	a. Kubur	DAT	E: June	21/955

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VERIFIED STATEMENT (DECLARATION) CLAIMING SN STATUS (37 CFR 1.9(f) AND 1.27 (b)) - INDEPENDENT					Docket No. 25220.411A-US	
Seriai N 09/288,6		Filing D		Patent No.		Issue Date
Applicant/ Kent Patentee:	ton T. Davis	; William H. Dudl	ey; Derek G	allagher; Ken Gee; Paur	ic McCabe; E	ric Podietz; Weidong Sha
Invention: ELEMENT MAN	IAGEMENT	SYSTEM FOR I	IETEROGI	ENEOUS TELECOMMU	NICATIONS	NETWORK
purposes of pay	ying reduce	ed fees under se	ction 41(a)	fy as an independent in and (b) of Title 35, Ur ove and described in:	ventor as defi lited States C	ned in 37 CFR 1.9(c) for Code, to the Patent and
☐ the sp	ecification t	o be filed herewit	h.			
🔀 the ap	plication ide	entified above.				·
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convey or licens under 37 CFR business concer	se, any righ 1.9(c) if tha n under 37 oncern or c	ts in the invention to person had ma CFR 1.9(d) or a ronganization to w	n to any pe de the invenonprofit org hich I have	rson who could not be ention, or to any concernganization under 37 CFR	classified as an which would 1.9(e).	t or law to assign, grant, an independent inventor d not qualify as a small censed or am under an is listed below:
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				d from each named pers us as small entities (37 (or organization having
FULL NAME Pa	thnet, Inc.	•				
ADDRESS 10	15 31st Stre	et, Washington, D				
	<u> </u>	ndividual	⊠ Sm	nall Business Concern		Nonprofit Organization
FULL NAME ADDRESS						
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FULL NAME						

Small Business Concern

Small Business Concern

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Individual

ADDRESS

FULL NAME ADDRESS

P03/REV01

Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

Nonprofit Organization

Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR Kenton T. Davis		
SIGNATURE OF INVENTOR	DATE:	14 Jun 39
NAME OF INVENTOR William H. Dedley		/ /
SIGNATURE OF INVENTOR THITTENED INVENTOR	DATE:	6/18/1999
NAME OF INVENTOR Derek Gallagher		
SIGNATURE OF INVENTOR	DATE:	6/17/99
NAME OF INVENTOR Ken Gee		
SIGNATURE OF INVENTOR Kerneth	DATE:	6/15/99
NAME OF INVENTOR Pauric McCabe		
SIGNATURE OF INVENTOR Paris Mi Color	DATE:	6/15/79
NAME OF INVENTOR Eric Podietz		
SIGNATURE OF INVENTOR Gun Page	DATE:	6-14-99
NAME OF INVENTOR Weidong Shao		
SIGNATURE OF INVENTOR	DATE:	6/14/09
NAME OF INVENTOR		
SIGNATURE OF INVENTOR	DATE:	
NAME OF INVENTOR		
SIGNATURE OF INVENTOR	DATE:	
NAME OF INVENTOR		
SIGNATURE OF INVENTOR	DATE:	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Kenton T. Davis et al.

Assignee:

Pathnet, Inc. 09/288,622

Serial No.: Filing Date:

April 9, 1999

Title:

Element Management System for Heterogeneous

Telecommunications Network

Our Ref.:

25220.411A-US

Assistant Commissioner for Patents Washington, DC 20231

Sir:

POWER OF ATTORNEY

PATHNET, INC. was assigned the full and exclusive interest in the above-referenced application by its inventors. The Assignment is filed herewith, and a copy of the assignment is attached hereto. Assignee hereby revokes all prior powers of attorney executed or filed in connection with the above-referenced application. Assignee hereby appoints the following attorneys with respect to the above-referenced patent application and to transact all business in the Patent and Trademark Office connected therewith:

Paul J. Berman	Reg. No. 36,744	COVINGTON & BURLING
Kurt G. Calia	Reg. No. 38,702	1201 Pennsylvania Ave., N.W.
Richard P. Dulik	Reg. No. 40,598	P.O. Box 7566
Thomas W. Krause	Reg. No. 40,335	Washington, D.C. 20044-7566
Adriana S. Luedke	Reg. No. 41,956	Phone: (202) 662-6000
Jeannie M. Perron	Reg. No. 31,180	,
Philip J. Rosenthal	Reg. No. 42,114	
Lee J. Tiedrich	Reg. No. 42, 184	
Glen D. Weinstein	Reg. No. 43,981	
Grady L. White	Reg No. 40,874	
-		

Address all telephone calls and correspondence to Paul J. Berman at the address and telelphone number listed above.

Assignee hereby declares that, to the best of Assignee's knowledge, title to the above-referenced patent application is in Assignee. Assignee hereby declares that all statements made herein of its own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-referenced patent application and any patent issuing thereon.

Pathnet, Inc.

Michael Lubin

Vice President, General Counsel

Date: June 21, 1999